

REMARKS

Status of the Claims

Claims 1-13 and 15 are pending in this application. No claims have been canceled or added. Claims 1-4 have been amended to recite that the dye and decolorizing agent are initially separated and migrate towards each other upon exposure to wetness or moisture. Support is found at page 29, lines 2-8 and page 30, lines 9 to 23. Claim 15 also has been amended to particularly and distinctly recite the subject matter of the invention. The amendments were suggested by the Examiner and are merely syntax corrections. No new matter has been added by the above amendments. Applicants submit that no new issues have been raised by the above amendments that would require a new search or additional examination. As such, Applicants respectfully request that the amendments are entered.

Rejection under 35 USC 112, second paragraph

The Examiner rejects claim 15 as indefinite because claim 15 allegedly fails to set forth a method step for detecting moisture. Applicants amend claim 15 as suggested by the Examiner to particularly and distinctly recite the subject matter of the invention. As such, this rejection should be withdrawn.

Rejections under 35 USC 102

The Examiner rejects claim 4 as anticipated by Timmons et al. USP 4,022,211 (Timmons '211). The Examiner also rejects claim 4 as anticipated by JP 2000-105230 (JP '230). Applicants traverse the rejections and respectfully request the withdrawal thereof.

The Examiner states that the claims do not recite that the dye and decolorizing agent migrate toward one another as argued. As such, Applicants amend claim 4 to recite that the dye and decolorizing agent migrate toward one another upon exposure to moisture or wetness. Applicants submit that neither Timmons '211 nor JP '230 discloses a material for detection of contact with a liquid and/or a liquid vapor where the dye and decolorizing agent are initially separated and migrate toward one another upon exposure to moisture or wetness. As such, this rejection should be withdrawn.

Rejections under 35 USC 103(a)

The Examiner rejects claims 1-3, 5, 6, 12 and 13 as obvious over JP '230 in view of Ohtsu USP 5,935,745 (Ohtsu '745) or Chosa USP 5,232,894 (Chosa '894). The Examiner relies on Ohtsu '745 and Chosa '894 for teaching that methine dye is equivalent to flourane dye. Applicants traverse the rejection and respectfully request the withdrawal thereof.

Applicants submit that the present invention is neither disclosed nor suggested by the combination of references. JP '230 fails to disclose a method of detecting moisture or wetness where the material for detecting the moisture or wetness contains at least one water-soluble decolorizing agent and at least one methine dye, which are initially spatially isolated from each other on the material and upon exposure to moisture or wetness the dye and/or the decolorizing agent migrate toward each other on the material to react and decolor the dye, thereby indicating exposure to wetness or moisture as recited in the present claims.

Neither Ohtsu '745 nor Chosa '894 compensate for the deficiencies in JP '230. As such, Applicants submit that no prima facie case of obviousness has been established since the combination of JP '230, Ohtsu '745 and Chosa '894 fail to disclose or suggest all the elements of the present invention. Thus, Applicants respectfully request that this rejection be withdrawn.

The Examiner also rejects claims 7-11 as obvious over JP '230 in view of Greyson et al. USP 4,015,462 (Greyson '462). Applicants traverse the rejection and respectfully request the withdrawal thereof.

The Examiner relies on Greyson '462 for disclosing a gelatin binder. Since Greyson '462 also fails to disclose

spatially isolated decolorizing agent and dye and the migration of the two towards each other upon contact with moisture, Applicants submit that Greyson '462 also fails to compensate for the deficiencies in JP '230. As such, no prima facie case of obviousness has been established. Thus, this rejection should be withdrawn.

Conclusion

As Applicants have addressed and overcome all rejections in the Office Action, Applicants respectfully request that the rejections be withdrawn and that the claims be allowed.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Kecia Reynolds (Reg. No. 47,021) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a three (3) months extension of time for filing a reply in connection with the present application, and the required fee of \$950.00 is attached to the Notice of Appeal being filed concurrently herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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